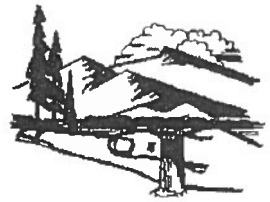




Matthew H. Mead, Governor

Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's
environment for the benefit of current and future generations.*



Todd Parfitt, Director

CERTIFIED MAIL RETURN RECEIPT REQUESTED: #7012 1640 0000 8427 3058

May 15, 2014

Mr. Jim Nairne
Green Bridge Holdings, Inc.
2278 Monitor Street
Dallas, TX 75207-6204

RE: Permit No. 486-T6, Director's Finding of Fact, Conclusions of Law and Decision

Dear Mr. Nairne,

Please find enclosed, my decision regarding the Informal Conference that was held on December 19, 2013.

Sincerely,

Todd Parfitt, Director
Department of Environmental Quality

TP:NN:kp

CC: Nancy Nuttbrock
Mark Rogaczewski, District III Supervisor



BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

IN THE MATTER OF A NOTICE OF VIOLATION

ISSUED TO GREEN BRIDGE HOLDINGS, INC., SYNTHETIC FUELS MINE

2278 MONITOR STREET, DALLAS, TX 75207

PERMIT NO. 486-T6, NOV

DOCKET NO.5200-13

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**DIRECTOR'S FINDING OF FACT, CONCLUSIONS OF LAW
AND DECISION**

This matter came before the Director of the Department of Environmental Quality pursuant as a request by Green Bridge Holdings, Inc. for an Informal Conference as provided in W.S. 35-11-901(c), W.S. 35-11-437(c)(i) and Chapter VI of the Wyoming Department of Environmental Quality Rules of Practice and Procedure.

At issue is Docket No. 5200-13, a Notice of Violation (NOV) and associated civil penalties in the amount of Twenty-one Thousand Three Hundred Fourteen Dollars (\$21,314.00) resulting from the inability of Green Bridge Holdings, Inc., to submit the proper bond for completing reclamation activities at the Synthetic Fuels Mine. Dating back to September of 2012, the Wyoming Department of Environmental Quality, Land Quality Division (LQD) has made numerous attempts to accommodate the circumstances surrounding Green Bridge Holdings, Inc., through considerable negotiations and extensions for submitting the required bond. On October 8, 2013, Mark Rogaczewski, LQD District 3 Supervisor, issued the NOV to Green Bridge Holdings, Inc. for not submitting the required reclamation bond increase. The informal conference was conducted on December 19, 2013 in the Cheyenne office of the Department of Environmental Quality.

Green Bridge Holdings, Inc. was represented by James Nairne of Green Bridge Holdings and Tom Peterson and Dennis McGirr of Environmental Solutions, Inc. The Land Quality Division of the Department of Environmental Quality was represented by Nancy Nuttbrock, Mark Ragaczewski, and Luke McMahan. All of the above named individuals participated in the conference. After reviewing the record and being fully advised of the premises, the Director hereby makes his Finding of Fact, Conclusions of Law, and Decision.

FINDINGS OF FACT

1. June 27, 2012 – Department of Environmental Quality Director's bond letter sent to Green Bridge Holdings, Inc., requesting a bond increase in the amount of \$230,343.00.
2. September 19, 2012 – The LQD staff and representatives of Green Bridge Holdings, Inc., hold meeting to discuss steps required to revise postmine topography, backfill pit and move towards area bond release. LQD informs Green Bridge Holdings, Inc., that reclamation bond amount needs to be increased by \$230,342.
3. September 20, 2012 – Conference call between representatives of Green Bridge Holdings, Inc., Director John Corra, LQD ADM Nancy Nuttbrock and LQD District III Supervisor Mark Rogaczewski. Director Corra agrees to stay \$230,342 reclamation bond increase until Green Bridge Holdings, Inc. can submit postmine topography revision that will allow them to proceed with backfilling pit. If Green Bridge Holdings, Inc. submits area bond release application, LQD will withhold \$230,342 to account for required reclamation bond increase.
4. October 9, 2012 – Green Bridge Holdings, Inc. submits postmine topography revision application to LQD.
5. December 19, 2012 – LQD approves postmine topography revision. This allows Green Bridge Holdings, Inc., to begin backfilling pit and move toward area bond release.
6. May 23, 2013 – Meeting between LQD District III staff and representatives of Green Bridge Holdings, Inc. LQD informs Green Bridge Holdings, Inc., that they have evaluated current reclamation bond amount held by LQD in preparation of replacement bond to be submitted by Green Bridge Holdings, Inc. LQD's evaluation noted the reclamation bond amount required an additional increase of \$213,148. Summary of meeting and request for bond increase by July 1, 2013 stated in May 23, 2013 letter authored by Mark Rogaczewski.
7. August 16, 2013 – Director's bond letter sent to Green Bridge Holdings, Inc., requesting required reclamation bond increase of \$213,148 within 45 days. Bond increase was not received by LQD before deadline of October 7, 2013.

8. October 8, 2013 – Mark Rogaczewski issued Notice of Violation for not submitting required reclamation bond increase. No work on backfilling of pit has been performed as of the date of this Notice of Violation.
9. December 19, 2013 – Informal conference was conducted in Cheyenne's DEQ Offices.
10. January 17, 2014 – LQD District 3 received the 2013-2014 Annual Report and Reclamation Bond Estimate for the Synthetic Fuels Mine.
11. March 6, 2014 – LQD submitted the results of its bond review to Green Bridge Holdings, Inc. The LQD bond review found that due to a revised pit survey and revised earthwork methods utilizing optimized dozer/push and scraper/haulage paths, there was a reduction of \$143,000.00 from the 2012-2013 bond amount. As a result, the outstanding amount required of Green Bridge Holdings, Inc. was reduced to \$70,149.00.
12. March 20, 2014 – Mark Rogaczewski and Luke McMahan of LQD District 3 hold meeting with Jim Nairne of Green Bridge Holdings, Inc. and Scott Gerber of Dan Hart Patrol Service. The meeting was held to discuss results of the bond review for the 2013-2014 Annual Report and the outstanding balance remaining to bring the bond up to date with the revised bond estimate. LQD and Mr. Nairne agreed that if the outstanding reclamation bond amount was submitted to the LQD, the subject NOV abatement actions would be met, the NOV terminated and the associated penalty would be waived. Mr. Nairne agreed to provide the outstanding reclamation bond amount within the required time line of the Director's bond letter.
13. March 24, 2014 – Director's Bond Decrease Letter (dated March 24, 2014) was mailed to Jim Nairne requesting Green Bridge Holdings, Inc. to pay the outstanding reclamation bond amount of \$70,149.00 within 30 days of receipt of the letter.
14. May 8, 2014 – Received outstanding balance for reclamation bond.

CONCLUSIONS OF LAW

The Director has jurisdiction over the subject matter and of the parties to this proceeding pursuant to W.S. §35-11-902(c) and W.S. §35-11-437(b)(i) of the Wyoming Environmental

Quality Act and the Rules of Practice and Procedure, Chapter VI of the Wyoming Department of Environmental Quality.

DECISION

The Land Quality Division considers this violation to be very serious. The inability of Green Bridge Holdings, Inc., to submit the proper bond puts the State of Wyoming at risk for completing reclamation activities at the Synthetic Fuels Mine without the proper funds being available to complete the required work. Based on the testimony at the informal conference, LQD's revised bond amount, and the meeting on March 20, 2014 between LQD and Green Bridge Holdings, Inc., the outstanding balance shall be paid to avoid the penalties of the subject NOV.

As required in LQD's March 24, 2014 Director's Bond Decrease Letter, Green Bridge Holdings, Inc. provided the outstanding balance of \$70,149.00 on May 8, 2014 to bring the Synthetic Fuels Mine reclamation bond up to date. Therefore, the NOV is upheld but the associated penalty of Twenty-one Thousand Three Hundred Fourteen Dollars (\$21,314.00) is waived.

ORDERED THIS 15th DAY OF May, 2014

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY



Todd Parfitt, Director
Department of Environmental Quality

CC: District III